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Letter dated 5 May 2017 from the Chargé d'affaires a.i. of the Permanent Mission of Uruguay to the United Nations addressed to the Secretary-General

I have the honour to inform you that, during its presidency of the Security Council in May 2017, Uruguay plans to hold an open debate on the topic "Women and peace and security: sexual violence in conflict", on 15 May.

In order to help guide the debate, Uruguay has prepared a concept note which is attached hereto (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Luis **Bermúdez**
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Annex to the letter dated 5 May 2017 from the Chargé d'affaires a.i. of the Permanent Mission of Uruguay to the United Nations addressed to the Secretary-General

[Original: English]

Concept note for the Security Council open debate on the theme "Sexual violence in conflict as a tactic of war and terrorism", to be held on 15 May 2017

1. Introduction

The aim of this open debate is to raise awareness about the issue of sexual violence in conflict as a tactic of war and terrorism, focusing in particular on patterns and trends identified in the annual report of the Secretary-General on conflict-related sexual violence (S/2017/249), including in connection with displacement driven by conflict, rising violent extremism and terrorism, human trafficking for the purpose of sexual exploitation, the use of women and girls as part of the political economy of war, the stigma associated with sexual violence and the challenges of socioeconomic reintegration.

2. Background information and normative framework

Since 2008, the Security Council, in a series of resolutions, including 1820 (2008), 1888 (2009), 1960 (2010), and 2106 (2013), has recognized sexual violence as a tactic of war and an impediment to the maintenance and restoration of international peace and security. In addition, the Council, in its resolutions 2242 (2015) and 2331 (2016), has recognized sexual violence as a tactic of terrorism employed to advance the strategic objectives of certain violent extremist groups, including financing and recruitment. The link between sexual violence and trafficking in persons in situations of armed conflict was also identified in the presidential statement on maintenance of international peace and security, adopted in December 2015 (S/PRST/2015/25) and in Council resolution 2331 (2016). In its resolution 2253 (2015), the Council condemned the abduction of women and children for the purpose of sexual exploitation, trafficking and trading, and expanded the sanctions framework for the suppression of terrorist financing to formally include ISIL (Da'esh).

In addition, in the 1998 Rome Statute of the International Criminal Court sexual violence is recognized as a war crime, a crime against humanity and a constituent act of genocide. According to international humanitarian law, all forms of sexual violence in situations of armed conflict and occupation are categorically prohibited.

3. Scope: sexual violence in conflict as a tactic of war and terrorism

In his report on conflict-related sexual violence (S/2017/249), the Secretary-General deplores the deliberate threat and use of sexual violence by non-State armed groups, terrorist and violent extremist groups, and certain State actors, perpetrated against women, men, girls or boys that is directly or indirectly linked to a conflict, such as rape, sexual slavery, forced prostitution, forced pregnancy, forced abortion, enforced sterilization, forced marriage and any other form of sexual violence of comparable gravity. These forms of violence may cause deep, long-term physical and psychological trauma and can shred the fabric of families and communities.

4. Current trends and emerging concerns

- Conflict-related sexual violence has become a core element of the ideology and operations of extremist groups, such as ISIL (Da'esh), Boko Haram, Nusrah Front and Al-Shabaab, which have specifically targeted women and girls.
- Sexual violence has been used as a tactic linked with the strategic objectives, ideology and funding of extremist groups, in order to generate revenue, attract new recruits and perpetuate conflict and instability; terrorize populations into compliance; displace communities from strategic areas; generate revenue through sex trafficking and the slave trade; and forcibly convert and indoctrinate individuals and populations, including across generations. Extremist groups have used forced brides and sex slaves as a form of in-kind compensation for fighters and have leveraged the threat of sexual violence to extract ransom payments from the families of abducted women and girls.
- Sexual violence is used as a tactic to destroy existing family and community structures and to dominate and control their future composition, pursuant to a plan of self-perpetuation employed by violent extremist groups aimed at transmitting their ideology to a new generation.
- Conflict-related sexual violence, as a form of religious and ethnic persecution, has been employed as a tool of genocide against national, ethnic, racial or religious groups, such as the Yazidi population of Iraq.
- Sexual violence has been used against men and boys, including in the contexts of interrogation and detention. It is a heightened risk facing vulnerable civilians, such as refugee and displaced populations, as well as women and children associated with armed groups. It has also been used as a form of persecution on the basis of actual or perceived sexual orientation and gender identity.
- The situation of children born as a result of rape, who may lack identification documents owing to the absence of a father and risk social marginalization owing to their father's identity or affiliation, needs greater, more concerted attention. Such children may face a heightened risk of being targeted for reprisals, radicalization and recruitment.

5. Preventive and corrective measures

- Ensuring parties to armed conflict commit to upholding their obligations under international humanitarian, refugee and human rights law in order to ensure the protection of the civilian population, including from crimes of sexual violence.
- Supporting women's political and economic empowerment, through employment, participation in economic and livelihood support activities and education.
- Ensuring women's participation in all peacebuilding efforts, including peace negotiations; ensuring that peace agreements include provisions that relate to the specific needs and rights of women and girls and exclude crimes of sexual violence from general amnesties.
- Encouraging the State to take strong domestic measures to prevent sexual violence, including training security sector personnel to prevent and respond to sexual violence.

- Increasing the participation of women in peacekeeping operations and guaranteeing financing for women's protection advisers through the United Nations general budget.
- Ensuring predeployment gender-sensitivity training for peacekeepers on the prevention of sexual exploitation and abuse and on the implementation of the zero-tolerance policy.
- Addressing funding shortfalls for sexual and gender-based violence programming, drawing upon the expertise of the United Nations Team of Experts on the Rule of Law and Sexual Violence in Conflict, and ensuring regular and sustainable funding for their work.

6. Objectives and framing questions for the debate

The open debate will help to identify opportunities and gaps at the national, regional and international levels to improve efforts to prevent and respond to conflict-related sexual violence and the ensuing stigmatization of survivors, which can result in their double victimization and traumatization. It provides a platform for strategic reflection on ways to advance and accelerate the implementation of this agenda, to track progress over time and to address obstacles, constraints and emerging challenges.

- What are the gaps in national legal frameworks, policies and programmes, including in relation to the recognition of sexual violence as an act or tactic of terrorism? How can these gaps be addressed in order to render survivors of sexual violence eligible for official recognition, support services and redress?
- How can States and humanitarian actors improve the delivery of health and psychosocial support services, including reproductive health care, for survivors of sexual violence? How can we strengthen the capacity of local service providers and women's groups to operate shelters and provide other lifesaving support? How can the rights and needs of survivors of sexual violence be integrated into counterterrorism frameworks and initiatives? How can States, and the international community, ensure that survivors of conflict-related sexual violence are recognized and treated as victims, not affiliates, of armed and violent extremist groups?
- How can States support the socioeconomic reintegration of survivors of conflict-related sexual violence, and any children born as a result, into their community, ensuring that they are accepted and reintegrated, rather than revictimized through shame and stigmatization? How can we support community mobilization efforts, including with traditional and religious leaders?
- How can countries receiving refugees adopt measures to mitigate the risk of sexual violence, make services available to survivors and provide them with the option of documenting their cases for future accountability processes?
- What are the most effective strategies for strengthening justice and accountability, in order to sanction those responsible for sexual violence, including security sector actors, to deter future crimes and to provide reparations to the victims?
- Further to the aims of Security Council resolution 2331 (2016), how can the international community, including regional organizations, more effectively combat trafficking in persons for the purposes of sexual slavery, forced prostitution or other forms of sexual exploitation, which may contribute to the funding and sustainment of terrorist and transnational criminal groups?

- How can we enhance prevention, including monitoring of the risk factors and early warning signs of conflict-related sexual violence, particularly in relation to periods of rising violent extremism, political instability, e. ctions, civil strife and mass population movements?

- How can we ensure that the Security Council employs all means at its disposal to influence parties to conflict to comply with international law, including by referring matters to the International Criminal Court and integrating the issue of sexual violence as a tactic of war and terrorism into the work of relevant sanctions committees, including the ISIL (Da'esh) and Al-Qaida Sanctions List, as part of the criteria for the imposition of targeted measures? How can we ensure the flow of information on conflict-related sexual violence to relevant sanctions committees and monitoring entities? How can we improve the impact of sanctions against individuals and entities involved in sexual violence and trafficking, in order to impede and deter these crimes by raising their economic cost, without adversely affecting the financing and operation of civil society organizations, including women's groups?

- How can the Security Council and other Member States continue to support the mandate of the Special Representative of the Secretary-General on Sexual Violence in Conflict to engage with State and non-State parties to conflict to obtain protection commitments and systematically monitor compliance?

7. Format and briefers

The open debate will be held on 15 May 2017 at 10.30 a.m. in the Security Council Chamber.

It will be chaired by the Vice-Minister for Foreign Affairs of Uruguay, José Luis Cancela. Participation on the same level by Member States is encouraged.

The following speakers will brief the Security Council:

- Deputy Secretary-General, Amina J. Mohammed

- Under-Secretary-General/Acting Special Representative of the Secretary-General on Sexual Violence in Conflict/Special Adviser of the Secretary-General on the Prevention of Genocide, Adama Dieng

- Founder and Executive Director of Women's Refugee Route, Mina Jaf, on behalf of the NGO Working Group on Women, Peace and Security

8. Expected results

No outcome document is planned for adoption at this meeting.